

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 09/865,638

Group Art Unit: 2132

U.S. Filing Date: 25 May 2001

Examiner: Thomas R. Peeso

Inventor: Gerald R. Black

Date: January 3, 2005

Title: Pen-Based Transponder Identity Verification System

TRANSMITTAL

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Please find enclosed:

An Amendatory Response (21 pages)
A personal check for \$60
A self-addressed stamped postcard.

Respectfully submitted,

January 3, 2005

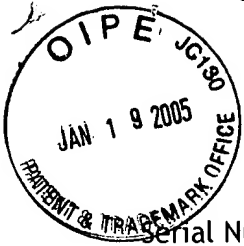
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CERTIFICATE OF MAILING (37 CFR 1.8a)

January 3, 2005

I hereby certify that this correspondence is being deposited on the date indicated with the United States Postal Service with sufficient postage for First Class Mail addressed to the Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.

Gerald R. Black



JPW 2132

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Reply to Office Action and Amendment

Commissioner for Patents
Alexandria, VA 22313-1450

In response to the Office Action dated September 2, 2004, please amend the above-identified application as follows:

IN THE CLAIMS

To highlight the distinctions of the subject matter of above referenced invention as interpreted by the Examiner in the Office Action, Claims 1 through 32 have been amended, without prejudice. A copy showing the deletions and additions is enclosed at the end of this Amendment. The following is a clean list of Claims 1 through 32 as amended.

1. A system for use by a customer to conduct a commercial transaction, the customer being registered and linked with an account for payment, the system comprising:
 - a. a host computer having access to data that links the customer with the customer account;
 - b. a first electronic device disposed at a point-of-sale terminal, the first electronic device being digitally linked to the host computer;
 - c. a second electronic device that is wireless, the wireless device being carried by the customer, the second electronic device communicating with the first electronic device transmitting data therebetween relative to an identity verification, radio frequency